

### **REMARKS/ARGUMENTS**

By Office action dated May 18, 2005, the Examiner has allowed claims 1, 2, 5 and 9 and has rejected claims 3, 4, 6-8 and 10-15. In response, Applicant has cancelled claims 3, 6-8 and 10-15 and has amended claims 4 and 9. New claims 16 and 17 have also been added.

#### **§112 Rejections**

The Examiner has rejected claims 3, 4, 6-8, 11, 12, 14 and 15 as being indefinite under 35 U.S.C. §112, second paragraph. Applicant has cancelled claims 3, 6-8, 11, 12, 14 and 15, thus rendering the rejections moot except with respect to claim 4.

The Examiner contends that claim 4 is indefinite because it recites "a first pair of opposing legs and a second pair of opposing legs" without any correlation to the "at least three legs" previously recited in claim 1, from which claim 4 depends. The Examiner further asserts that claim 4 would be allowable if rewritten or amended to overcome the indefiniteness rejection.

Applicant has amended claim 4 to clarify that the claimed "at least three legs" *comprise* "a first pair of opposing legs and a second pair of opposing legs." Applicant respectfully submits that this amendment overcomes the rejection by correlating the first and second pair of opposing legs with the claimed "at least three legs." Therefore, Applicant respectfully requests that the Examiner remove the rejection to claim 4.

#### **§102 Rejections**

The Examiner has rejected claims 10-15 as being anticipated under 35 U.S.C. §102. Applicant has cancelled these claims, which relate only to the spring outside the context of the fuel vapor storage canister. Accordingly, the Examiner's rejections are now rendered moot.

#### **Claim 9**

The Examiner has allowed claim 9, which is directed to a method of assembling a fuel vapor storage canister. Nevertheless, Applicant has amended claim 9 to remove several unnecessary limitations.

As amended, claim 9 recites the step of positioning a spring inside a canister in a position to exert pressure on a movable partition within the canister *but no longer requires that the spring be located outside of a vapor storage chamber within the canister*. Furthermore, claim 9, as amended, requires that the spring in general exert pressure on the partition without requiring specifically that the *legs of the spring* exert pressure on the partition.

Applicant respectfully submits that claim 9 as amended is supported by the application as filed and is still patentable over the art. Accordingly, prompt and favorable reconsideration is requested.


New Claims

Applicant has added new claim 16, which corresponds to amended claim 4 but which does not require that the first and second pair of opposing legs possess different spring rates.

New independent claim 17 is similar to claim 1 but expresses more clearly that the volume compensator may comprise first and second band springs that are angularly offset from one another. Support for claim 17 is found in paragraph [0012] of the application as filed.

In light of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case. The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or to credit any overpayment to Deposit Account 20-0809. Prompt and favorable examination is requested.

Respectfully submitted,

  
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